



General Assembly

Substitute Bill No. 706

January Session, 2019



AN ACT CONCERNING EPINEPHRINE AUTO INJECTORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this section
2 and sections 2 and 3 of this act, "epinephrine cartridge injector" means
3 an automatic prefilled cartridge injector or similar automatic injectable
4 equipment used to deliver epinephrine in a standard dose for
5 emergency first aid response to allergic reactions.

6 (b) Any person who has completed a course in first aid offered by
7 an organization approved by the Department of Public Health, said
8 department or any director of health, and is certified by the
9 organization, department or director of health offering the course, or
10 has been trained in the use of an epinephrine cartridge injector by a
11 licensed physician, physician assistant, advanced practice registered
12 nurse or registered nurse, and who in good faith believes that another
13 person is experiencing an allergic reaction may, if acting with
14 reasonable care, administer an epinephrine cartridge injector to such
15 other person. Pursuant to subsection (h) of section 52-557b of the
16 general statutes, any person, other than a licensed health care provider
17 acting in the ordinary course of such person's employment, who
18 administers an epinephrine cartridge injector in accordance with this
19 subsection shall not be liable for damages in a civil action or subject to
20 criminal prosecution for the administration of such epinephrine

21 cartridge injector.

22 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) A prescribing
23 practitioner, as defined in section 20-14c of the general statutes, who is
24 authorized to prescribe an epinephrine cartridge injector and a
25 pharmacy may enter into an agreement for a medical protocol
26 standing order at such pharmacy allowing a pharmacist, licensed
27 under part II of chapter 400j of the general statutes, to dispense an
28 epinephrine cartridge injector to any person experiencing an allergic
29 reaction or to a family member, friend or other person in a position to
30 assist a person experiencing an allergic reaction.

31 (b) Any such medical protocol standing order shall be deemed
32 issued for a legitimate medical purpose in the usual course of the
33 prescribing practitioner's professional practice. The pharmacy shall
34 provide the Department of Consumer Protection with a copy of every
35 medical protocol standing order agreement entered into with a
36 prescribing practitioner under this section.

37 (c) A pharmacist may only dispense an epinephrine cartridge
38 injector pursuant to a medical protocol standing order if the
39 pharmacist has been trained and certified as part of a program
40 approved by the Commissioner of Consumer Protection.

41 (d) A pharmacist who dispenses an epinephrine cartridge injector
42 pursuant to a medical protocol standing order shall (1) provide
43 appropriate training regarding the administration of such epinephrine
44 cartridge injector to the person to whom the epinephrine cartridge
45 injector is dispensed, (2) maintain a record of such dispensing and the
46 training required pursuant to chapter 400j of the general statutes, and
47 (3) send a copy of the record of such dispensing to the prescribing
48 practitioner who entered into an agreement for a medical protocol
49 standing order with the pharmacy.

50 (e) A pharmacist who dispenses an epinephrine cartridge injector in
51 accordance with the provisions of this section shall be deemed not to

52 have violated any standard of care for a pharmacist.

53 (f) The Commissioner of Consumer Protection may adopt
54 regulations, in accordance with chapter 54 of the general statutes, to
55 implement the provisions of this section.

56 Sec. 3. (NEW) (Effective October 1, 2019) (a) A licensed health care
57 provider who is permitted by law to prescribe an epinephrine
58 cartridge injector may prescribe or dispense an epinephrine cartridge
59 injector to any individual to treat an allergic reaction without being
60 liable for damages in a civil action or subject to criminal prosecution
61 for prescribing or dispensing such epinephrine cartridge injector or for
62 any subsequent use of such epinephrine cartridge injector. A licensed
63 health care provider who prescribes or dispenses an epinephrine
64 cartridge injector in accordance with the provisions of this subsection
65 shall be deemed not to have violated the standard of care for such
66 licensed health care provider.

67 (b) A licensed health care provider may administer an epinephrine
68 cartridge injector to any person to treat an allergic reaction. A licensed
69 health care provider who administers an epinephrine cartridge injector
70 with reasonable care shall not be liable for damages in a civil action or
71 subject to criminal prosecution for administration of such epinephrine
72 cartridge injector and shall not be deemed to have violated the
73 standard of care for such licensed health care provider.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section
Sec. 2	October 1, 2019	New section
Sec. 3	October 1, 2019	New section

Statement of Legislative Commissioners:

In Section 1(a), "sections 4 to 5, inclusive," was changed to "sections 2 and 3" for accuracy; in Section 1(b), "first aid offered by any organization" was changed to "first aid offered by an organization" for clarity; "In accordance with" was changed to "Pursuant to" for

accuracy; "an" was inserted before epinephrine for clarity; "cartridge injector" was added after epinephrine for accuracy; and "with respect to" was changed to "for" for conciseness; in Section 3(b), "Such licensed health care provider" was changed to "A licensed health care provider" for clarity; and "in accordance with the provisions of this subsection" was changed to "with reasonable care" for accuracy.

PH *Joint Favorable Subst. -LCO*